HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition no. 1710 of 2005 (SS)

Mohan Chandra Pandey s/o Sri Hari Dutt Pandey
Devi Cottage Compound, Ayarpata, Mallital, Nainital
.....Petitioner

versus

1. Managing Director, Uttaranchal Payjal Sansadhan
2. Vikas Evam Nirman Nigam 1' 1, Mohini Road, Dehradun
3. Director, Finance, Uttaranchal Payjal Sansadhan Vikas Evam Nirman Nigam 11, Mohini Road, Dehradun
4. Chief Engineer (Kumaon), Uttaranchal Payjal Sansadhan Vikas Evam Nirman Nigam, Nainital
5. Managing Director, U.P. Jal Nigam, 6 Rana Pratap Marg, Lucknow ..... Respondents

Sri Manoj Tiwari, Advocate for the petitioner
Sri D.S. Patni, Advocate for the respondents.

Dated: 3.3.2006

Hon'ble Rajesh Tandon, J.

Heard Sri Manoj Tiwari counsel for the petitioner and Sri D.S. Patni counsel for the respondents.

By the present writ petition, the petitioner has prayed for a writ of mandamus directing the respondents to release the pension, gratuity, Group insurance and other outstanding dues to the petitioner.

Briefly stated according to the petitioner he was serving as Computer in the office of respondent no. 3. He retired on 30.9.2004 after attaining the age of superannuation. Before his retirement, the petitioner has submitted the representation on

19.8.2004 to the respondent no. 1 thorough proper channel requesting to include his name in the list of employees of Hills Sub Cadre so that his retrial dues may be released in time and the respondent no.3 forwarded the said representation on 23.8.2004.

The counsel for the petitioner has filed copy of the order-dated 9.9.2005 passed by this Court in writ petition No. 1317 of 2005(SS) and has submitted that the case of the present petitioner is squarely covered by the facts of that case. In the said order it has been held as under:

"It is not disputed that the petitioner was retired from Uttaranchal Peyjal Nigam and it is the duty of the Uttranchal Pey Jal Nigam to obtain records and pay post retrial benefits to the petitioner within a period of six weeks.

U.P. Jal Nigam, Lucknow is directed to supply the relevant documents pertaining the petitioner to the Uttaranchal Pey Jal Nigam within a period of four weeks from date of production of certified copy of this order."

In view of above, a writ of mandamus is issued directing the respondents to pay retiral benefits to the petitioner within three months after obtaining certified copy of this order. Respondent No. 4 U.P. Jal Nigam is also directed to co-operate with the respondent no. 1 and to give him necessary records pertaining to the petitioner.

Accordingly the writ petition is allowed. No order as to costs.

Dated: 3.3.2006 **Rajesh Tandon, J.**

*Dhyani